



1751

CASE 4-20161/A/CONT/CPA 4

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lynn Girolamo
Type or print name

Lynn Girolamo
Signature

4/28/06
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1751

BERNHARD MÜLLER

Examiner: M. Einsmann

APPLICATION NO: 08/801,327

FILED: FEBRUARY 18, 1997

FOR: FIBRE-REACTIVE ANTHRAQUINONE

DYES, PROCESS FOR THEIR

PREPARATION AND THE USE THEREOF

RECEIVED

MAY 05 2006

TC 1700

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Mail Stop Reconstruction

LETTER

Sir:

The entire lengthy prosecution file of the above-identified application was reconstructed at the PTO's request on July 28, 2003.

It is noted that there has been no reply to applicants' PETITION UNDER 37 CFR 1.181 (A) TO WITHDRAW HOLDING OF ABANDONMENT, which was mailed with a certificate of first class mailing on May 18, 2005, or to applicants' Request, mailed with a certificate of first class mailing on January 18, 2006.

The undersigned was recently orally advised that the PTO is now unable to locate either the original file or the reconstructed prosecution file of the above-identified application. Accordingly, applicants once again reconstruct the file based on the NOTICE UNDER 37 CFR 1.251 – Pending Application mailed on April 28, 2003.

Additionally, copies of the following documents not listed in the NOTICE are provided:

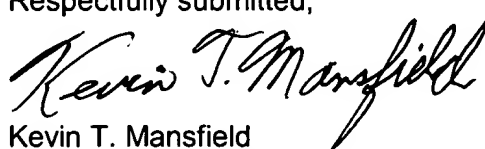
1. An AMENDMENT mailed with a certificate of first class mailing on November 22, 2002;
2. A PETITION UNDER 37 CFR 1.181 (A) TO WITHDRAW HOLDING OF ABANDONMENT and a DECLARATION ATTESTING TO FIRST CLASS MAILING, both mailed with a certificate of first class mailing on May 18, 2005, and
3. A STATUS REQUEST, mailed with a certificate of first class mailing on January 18, 2006.

Applicants emphasize that this application has been fully in condition for allowance since November 22, 2002. The holding of abandonment is clearly erroneous.

Applicants respectfully request that the reconstructed file be delivered to Supervisory Examiner Douglas McGinty for appropriate further action.

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
(914) 785-7127
KTM20161R2

Respectfully submitted,



Kevin T. Mansfield
Agent for Applicants
Reg. No. 31,635

Enclosures: as indicated above

APR 28 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of: Bernhard Muller

Application No.: 08/801,327

Filing Date: 2/18/97

Title: Fibre-reactive anthraquinone dyes, process for their preparation and the use thereof

Direct to:

~~Box Reconstruction~~ TC 1700-ATTN: Valarie R. Reid
United States Patent and Trademark Office
Washington, DC 20231

NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

7/28/03

Signature

JoAnn VillamizarJoAnn Villamizar

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.